

## MESSAGE

FROM THE

# PRESIDENT OF THE UNITED STATES,

RETURNING

*Senate bill No. 2514, with his objections thereto.*

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FEBRUARY 14, 1889.—Read and referred to the Committee on Pensions and ordered to be printed.

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### *To the Senate :*

I return without approval Senate bill number twenty-five hundred and fourteen, entitled "An act granting a pension to Michael Shong."

It appears that the beneficiary named in this bill, under the name of John M. Johns, enlisted in Company I, Fourteenth New York Volunteers, on the 17th day of May, 1861, and was discharged May 24, 1863.

In November, 1876, more than thirteen years after his discharge, under the same name of John M. Johns, he filed an application for pension, alleging a fever sore on his right leg contracted July 1, 1862, which resulted in the loss of the leg.

His claim was rejected in November, 1882, after a thorough special examination, on the ground that the disease of the leg resulting in amputation was contracted after the soldier's discharge from the service.

The leg was amputated in February, 1865.

While there is some evidence tending to show lameness in the service and following discharge, and while one witness swears to lameness and fever sores in the service, evidence was also produced showing that the soldier returned home from the Army in good physical condition, and that the disease of his leg first manifested itself in the latter part of 1864.

It will be observed that he served in the Army nearly a year after it is alleged he contracted his disability, and that though his leg was amputated in February, 1865, he did not apply for a pension until 1876.

Moreover, the surgeon who amputated his leg testified that the soldier and his parents stated that he came out of the Army without a scratch; that on New Year's night, in 1865, he became very warm at a dance; that he went outdoors and was taken with a chill and pain in his side, which subsequently settled in the leg and caused a gangrenous condition, and that upon amputating the leg the artery below the knee was found plugged by a blood clot, which caused the diseased condition of the leg and foot.

This testimony and the other facts established and the presumptions arising therefrom clearly indicate in my opinion that the claim made for a pension by this beneficiary is without merit.

GROVER CLEVELAND.

EXECUTIVE MANSION, *February 13, 1889.*

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[Fiftieth Congress of the United States of America, at the second session, begun and held at the city of Washington on Monday, the 3d day of December, 1888.]

AN ACT GRANTING A PENSION TO MICHAEL SHONG.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Michael Shong, late of Company I, Fourteenth New York Volunteer Infantry.*

JOHN G. CARLISLE,  
*Speaker of the House of Representatives.*  
JOHN J. INGALLS,  
*President of the Senate pro tempore.*

I certify that this act originated in the Senate.

ANSON G. MCCOOK,  
*Secretary.*

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